



PLANNING & ZONING COMMISSION

AGENDA REQUEST

AGENDA OF:	12/11/07	AGENDA REQUEST NO:	VB
INITIATED BY:	DOUGLAS P. SCHOMBURG, AICP ASST. PLANNING DIRECTOR	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	DOUGLAS P. SCHOMBURG, AICP ASST. PLANNING DIRECTOR	ASSISTANT PLANNING DIRECTOR:	DOUGLAS P. SCHOMBURG, AICP <i>DPS</i>
		ADDITIONAL DEPARTMENT HEAD (S):	N/A
SUBJECT / PROCEEDING:	PROPOSED AMENDMENTS TO SUGAR LAND TOWN SQUARE PLANNED DEVELOPMENT (PD) DISTRICT FOR SITE A PUBLIC HEARING; DISCUSSION AND DIRECTION		
EXHIBITS:	SUPPLEMENTAL INFORMATION, VICINITY MAP, APPLICANT CORRESPONDENCE, HEARING NOTICE		
CLEARANCES		APPROVAL	
LEGAL:	N/A	DIRECTOR OF PLANNING:	SABINE SOMERS-KUENZEL, AICP <i>SK</i>

RECOMMENDED ACTION

Public Hearing followed by Discussion and Direction from the Commission.

EXECUTIVE SUMMARY

This is a request to amend the Sugar Land Town Square Planned Development (PD) District for property designated as "Site A" within the Final Development Plan. Site A is located at the southwest intersection of State Highway 6 and Town Center Boulevard North, consists of approximately 2.4 acres and is currently vacant. Planned Community Developers (PCD) has requested this amendment to add 100,000 square feet of development rights for retail, office, and restaurant options to the current allowance. There is also a need to remove discrepancies within the PD District requirements, including corrections that are needed on Exhibit C showing the PD Layout. The specific amendment proposals would consist of the following:

- Add 100,000 square feet to the retail, office, and restaurant use options for Site A (Exhibit A)
- Replace existing Exhibit C with updated drawing to remove discrepancies and clarify PD Areas
- Add new exhibit to PD Ordinance showing Building Layout Option for Site A with key differences of with or without cul-de-sac private street (2 options)

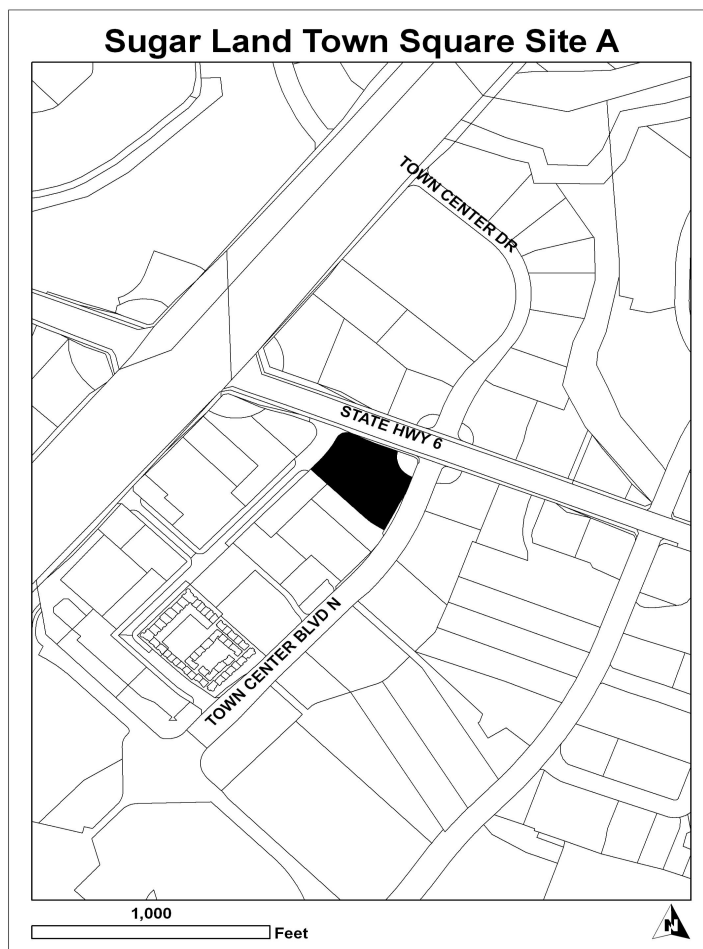
The most recent amendments to the Sugar Land Town Square were approved by City Council on July 17, 2007 under Ordinance No. 1624. The amendments affected development rights for Sites A, G, and K, with the most prominent feature being the addition of a 225 room hotel and a movie theatre option to Site A, and removal of a 300,000 square foot office building option for Site A. Since that time, PCD has further examined office, retail, and restaurant uses for the site and determined that it was appropriate to request revisions to the PD to add to the square footage options of those uses. In addition, there are two specific layout plans for Site A that are a possibility for development. An important part of the differences with the two plans is the inclusion or elimination of a cul-de-sac street feature at the site. PCD has chosen to include the two optional layouts for Site A as a new exhibit. If approved, the option layout allows a degree of flexibility, while providing more certainty as to the design.

The Planning Department has conducted a preliminary analysis of the request, and has found that the request is similar in nature to prior amendments within the 32 acre PD District. Staff also requested additional data regarding parking clarifications for the Texas Garage that information is anticipated by late December of 2007. Additional information is attached to this report.

Les Newton, PCD lesn@pcdltd.com
File No. 8748

EXHIBITS

STAFF REPORT: **PRELIMINARY ANALYSIS:**



PLANNED DEVELOPMENT (PD) DISTRICT INTENT:

Development Code, Chapter 2, Article II, Sec. 2-172. Intent.

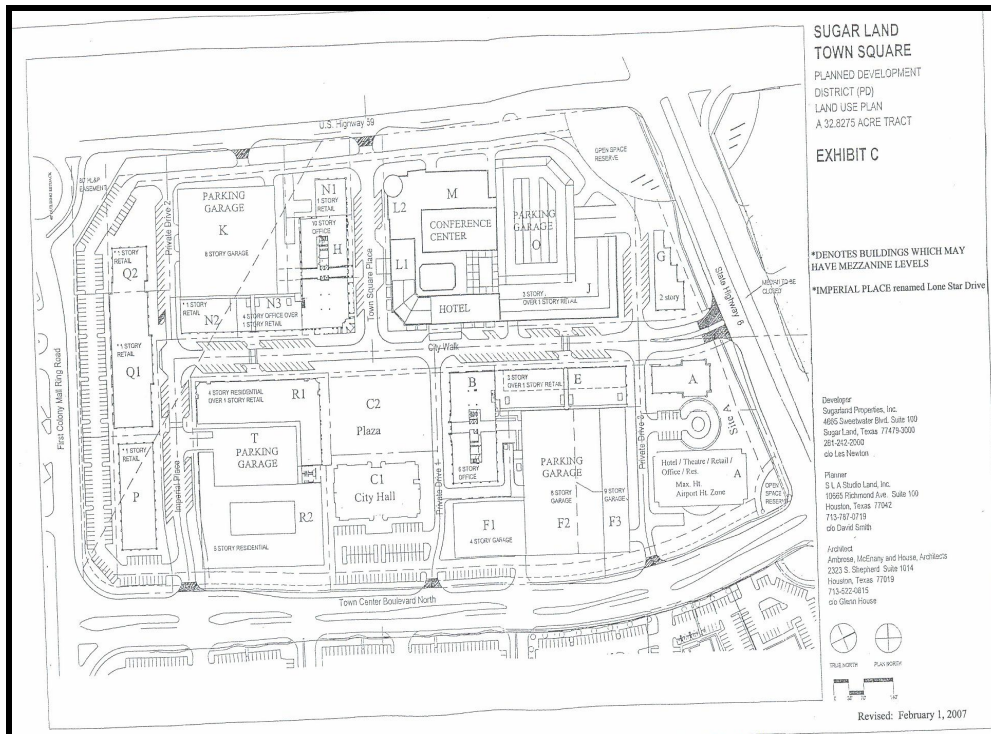
“The planned development district allows for a development containing uses or a combination of uses in a design that would not otherwise comply with the regulations of the primary zoning districts, but does provide an overall design, increased Open Space, or other features or amenities that results in a superior development or offer special benefits to the community. A planned development district may not be used for the primary purpose of avoiding the zoning regulations applicable to the primary zoning districts.”

The applicant has indicated that the proposed amendments to the project will result in continuing the unique designs, mixture of uses, and elements that have shaped the Sugar Land Town Square PD.

GENERAL SITE INFORMATION:

Subject Property	Planned Development (PD) District Site A is currently vacant.
North: South: East: West:	Planned Development (PD) District General Business (B-2) District General Business (B-2) District Planned Development (PD) District
Adjacent Land Use North: South: East: West:	Across City Walk [Town Square Building J] (retail / offices / restaurants) Across T. Center Blvd. [Market at Town Square Center] (retail / restaurants) Across SH6 [Creekside at Town Center] (restaurants / banking) Across Texas Drive (Texas Parking Garage on Reserve F)
Ordinance Currently Applying:	<u>Ordinance No. 1624</u> Exhibit A: Development Criteria w/ uses by Site, Square footage, max. # of units, # of stories) Exhibit B: (SIC Codes for Allowed Uses) Exhibit C: (Land Use Plan) Exhibit D: (Pedestrian / Open Space) Exhibit E: (Gen. Landscape Plan) (Landscape Plan), F (Parking and Building Setbacks), Exhibits G-1and G-2: (Typical Street Sections)

Existing Exhibit C: Ordinance No. 1624

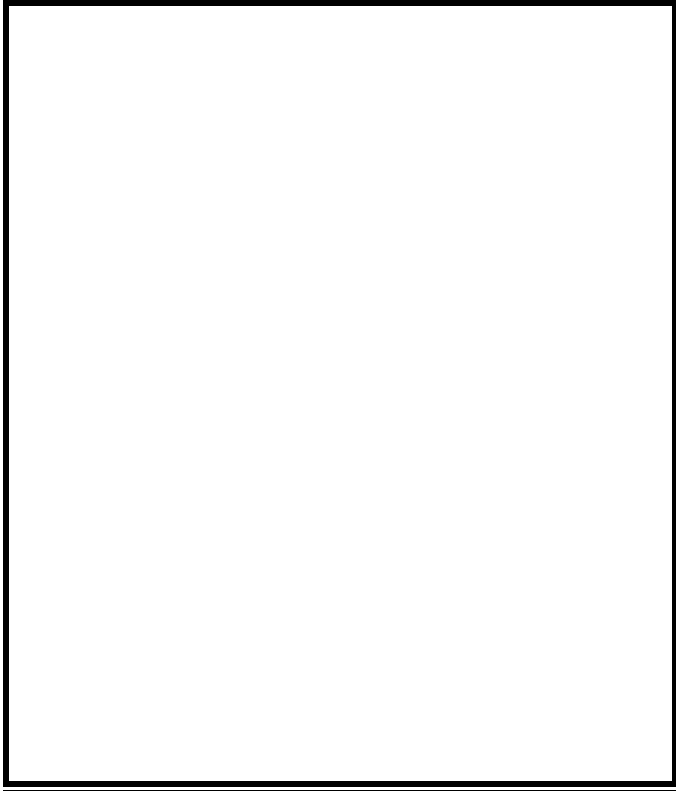


Aerial of Site A within PD:



Excerpt of Recorded Plat from 2002:

Site A consists of Reserves “A1” and “A2” for a total of 2.4 acres



Parking:

The Sugar Land Town Square Planned Development (PD) District has been designed to use a different approach to parking than typically found in the other commercial zones in the City due to the unique down-town style development plan and neo-traditional design located in a primarily suburban setting. The PD ordinance allows for phasing on-street parking and shared parking during individual site plans for parking needs. Planned Community Developers (PCD) has submitted traffic engineering studies as individual phases and sections of Sugar Land Town Square develop in order to fulfill the requirements of the PD Ordinance regarding provision of adequate parking. At the time of initial PD approval, the City of Sugar Land agreed to Urban Land Institute (ULI) shared parking methodology and ratios customized for the PD and these calculations have been applied for each project when individual site plan approval is given. During Site Planning for each building pad, the Planning Department requires that adequate parking is provided for the proposed uses prior to Site Plan approval. Planned Community Developers parking for Site A is proposed to be provided in Parking Garage F (Texas Garage) should the tract be developed with the hotel project, which is identical to the office building option that is proposed for removal from the PD. If the residential condominium is developed at the site, the parking will be contained within Reserve A and would likely consist of the first several stories of the residential condominium building. The Texas Garage was completed at the close of 2005.

Planned Community Developers (PCD) have indicated that should the full range of square footage be developed (addn. 100,000 sq. ft.), the Texas Garage will need to be expanded above the current surface lot directly adjacent to Town Center Boulevard North. Staff has confirmed that the surface lot directly

adjacent to the Texas Garage had underground footings installed during the lot construction that can support a future garage expansion. Staff has also confirmed PCD's statement that the garage expansion will be necessary if the full development rights are exercised for Site A. step would be necessary. Staff has requested clarification from PCD on parking information for additional details. Planned Community Developers has indicated that additional information is being compiled and will be sent to the City prior to the consideration and action of this item.

Traffic:

A significant part of site planning approval for Sugar Land Town Square has been detailed Traffic Impact Analysis (TIA) studies. The City of Sugar Land Engineering Department is responsible for reviewing TIA work for development. Since inception, the PD has involved a unique mix of uses and densities that have required adequate traffic mitigation such as turn lanes, signal modifications, and access points. Planned Community Developers submitted updates to the TIA in 2007 and that information was reviewed by the Engineering Department, which determined that mitigation measures were in place in the area for the PD District. There were no significant impacts to infrastructure based on the proposal. Staff is currently examining the PD District amendments for Site A and we will provide a confirmation update on traffic at the time of consideration and action.

Height Requirements:

The most recent PD Amendments under Ordinance No. 1624 revisions adopted the airport height hazard requirements as the key height maximum for both the hotel and residential condominium options for Site A, which equates to not greater than approximately 225 feet. The proposed amendment seeks to make the airport height hazard requirements the default height requirement for all land uses that could be developed on Site A. An example of building height at 12' per floor (as defined under "stories" in Dev. Code) would be approximately 216' [18 stories]. Using a number of 14' in height, building height would be approximately 224' [16 stories]. We have not identified any issue with the proposed amendment as to height.

Quality of Development:

During the most recent PD District Amendment process in the spring of 2007, PCD and the City of Sugar Land worked closely to clarify building finish expectations for the remaining vacant sites including Site A. Although the quality standards had been primarily ensured through private covenants, conditions, and restrictions (CCR's), building finish requirements were placed into the PD District ordinance language as follows under Section 9 (Building Finish Standards):

"A minimum of 70% of each building wall must be of a primary material as follows: brick, thinbrick, natural all weather stone, cut stone, dimensioned stone, or manufactured stone products, glass, concrete finish and pre-cast concrete panels, or cementitious stucco. Concrete finish and pre-cast concrete panels must be profiled, sculpted, fluted, exposed aggregate or other architectural finish. Glass walls may include Glass Curtain Walls or glass block construction. No EIFS can be used at any height within six feet of the grade level in any area accessible to pedestrians, vehicles, or otherwise subject to damage."

Building finish requirements can help to ensure certain levels of quality and durability for development, and there are no proposed changes to the adopted finish requirements. The private CCR's mentioned previously also apply to Sugar Land Town Square as well.

Land Use Compatibility:

Sugar Land Town Square Planned Development District was created in 1998 in order to combine a number of mixed uses of commercial services / retail, office, government, and residential into a 31.8 acre site to create a neo-traditional downtown-type theme in a largely suburban area. The proposed Exhibit A with changes highlighted:

- **Changes to Retail, Restaurant, Theatre, or Office Line A*** from 100,000 to 200,000 st. ft. and making Airport Height Hazard level the standard height for Site A, instead of just for hotel and residential condo.**
- **Changes to note at bottom of chart to reflect Airport Height Hazard reference**

BBldg. ID	Allowable Land Use	Maximum Square Ft.	Maximum Res./Hotel Units	Maximum Floors/Levels
A ***	Hotel	N/A	225	Airport Ht. Max. Level
A ***	or Residential Condominium	N/A	88	Airport Ht. Max. Level
A***	Retail, Restaurant, Theatre, or Office	200,000		Airport Ht. Max. Level
B	Office	150,000		6
B*	Retail or Restaurant	20,000		1
C-1	City Hall or Office	88,000		4
E	Professional Office	75,000		4
E**	Retail or Restaurant	25,000		1
F-1, F-2, F-3	Parking Garage	N/A		9
F-3**	Retail	20,000		1
R-1, R-2	Multifamily Residential	N/A	200	5
R-1**	Retail or Restaurant	25,000		1
T	Parking Garage	N/A		6
G	Retail, Restaurant, or Office	25,000		2
H	Office	250,000		10
H*	Retail or Restaurant	20,000		1
J	Professional Office	30,000		2
J*	Retail or Restaurant	40,000		1
K	Parking Garage	N/A		8
K	Retail	12,000		1
L-1, L-2	Hotel	N/A	400	10
L-2**	Retail or Restaurant	10,000		1
L-1*	Hotel Support	30,000		1
M	Conference Center	60,000		2
N-1	Retail or Restaurant	10,000		1
N-2, N-3	Professional Office	60,000		4
N-2, N-3**	Retail or Restaurant	25,000		1
O	Parking Garage	N/A		6
P	Professional Office or Retail or Restaurant	22,000		1
Q-1	Professional Office or Retail or Restaurant	35,000		1
Q-2	Retail or Restaurant	10,000		

* Included in the maximum square footage and maximum building height in the line above.

** Included in the maximum building height in the line above.

***** Allowable Land Uses may not exceed airport height hazard requirements per Ch. 9 of Dev. Code. (Was hotel & condo)**

Draft Exhibit C: (Revision to clarify Final Development Plan)

- (Shows updated Site A layout, corrections to Site F1 to match current garage levels)
- (Greater accuracy for all sites currently built-out / shown in greater detail, including Plaza)
- (Reflects Council approved street name changes in 2002 from Imperial Place to Lone Star Dr.)

DRAFT EXHIBIT: (BUILDING OPTION LAYOUTS FOR SITE A) #1 Received: 10/25/07

DRAFT EXHIBIT: (BUILDING OPTION LAYOUTS FOR SITE A) #2 Received: 10/25/07

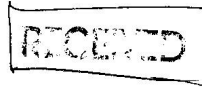
PUBLIC HEARING:

Notice of this public hearing was published in a newspaper of general circulation and on the City of Sugar Land internet home page. All owners of property within 200' of the site were notified of the hearing via mail. Since the time the public hearing notice was published, the Planning staff has received only one inquiry from the general public regarding the subject hearing, which was informational in nature.

POINTS FOR CONSIDERATION:

- Proposed Use Changes as to Compatibility
- Impacts to traffic and parking
- Safeguards to ensure quality of development

Application:



AUG 08 2007

PLANNING DEPARTMENT
CONDITIONAL USE PERMIT OR REZONING APPLICATION

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

Applicant

Contact LES A. NEWTON, PLANNED COMMUNITY DEVELOPERS, LTD.
Address 15958 CITY WALK, SUITE 250, SUGAR LAND, TX 77479
Phone 281/242-2000 Fax 281/242-2718
Email LESN@PCDLTD.COM

Owner

Contact LES A. NEWTON, TOWN CENTER LAKESIDE LTD.
Address 15958 CITY WALK, SUITE 250, SUGAR LAND, TX 77479
Phone 281/242-2000 Fax 281/242-2718
Email LESN@PCDLTD.COM

Property Legal Description #2464/B, 2465/A, 2465/B See Attached

Lot _____ Block _____ Subdivision _____

Current Zoning District PD Proposed Zoning District, if applicable PD

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) INCREASE ALLOWABLE RETAIL, RESTAURANT, THEATRE AND OFFICE USE FROM AN AGGREGATE 100,000 SF TO 200,000 SF AND ADD PARKING GARAGE TO ALLOWABLE USES.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.

X [Signature]
Signature of Applicant

8/6/07
Date

Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- ☒ Three (3) copies of the completed application
- ☒ Check for \$1,000.00 (non-refundable) \$400 if CUP is in Mixed Use Conservation (MUC) District
- ☒ Metes and bounds of the site or county slide number of plat, if recorded
 - ☐ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

Correspondence:



PLANNED COMMUNITY DEVELOPERS

LTD.

Planned Communities and Commercial Development

September 6, 2007

Mr. Doug P. Schomburg
Assistant City Planner
City of Sugar Land
2700 Town Center Boulevard North
Sugar Land, Texas 77479

Re: REVISED Request for Amendment to Sugar Land Town Square Planned Development District ("PD")

Dear Doug:

Planned Community Developers, Ltd. respectfully requests that the City consider the following amendment to the Sugar Land Town Square PD:

- ❖ Increase the allowable square footage for retail, restaurant, theater and office uses on Site A from 100,000 sf to 200,000 sf.

The primary purpose of these proposed PD changes is to increase the allowable square footage in the non-hotel uses on Site A. This is being requested in contemplation of a potential office building over retail which is consistent with the original plan. Prior to the most recent PD amendment for the second hotel, the ordinance included up to 300,000 sf for office on Site A. To address the additional parking required for the additional space, Texas Garage would be expanded over the surface lot on Reserve F1. Parking Garage is already an allowable use on Reserve F1, and in fact, the underground foundation is already in place to accommodate up to seven levels of garage.

We are not requesting any changes to the parking regulations in the PD, and accordingly, updated parking calculations must be submitted for City approval prior to any construction.

Enclosed are two site plans which, taken together, represent our current plans for Site A. It is our opinion that this plan is not materially different than the existing plan for Site A on Exhibit C. Please advise whether Exhibit C will require updating as part of this request.

We look forward to working with the City to process approval of these proposed PD changes. Please advise us of the schedule at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Les A. Newton".

Les A. Newton
President

Enclosures: as stated

C: Gretchen Pyle

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RESUBMITTED
SEP 07 2007
PLANNING

Hearing Notice:

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING REGARDING A REQUEST BY PLANNED COMMUNITY DEVELOPERS, TO AMEND THE SUGAR LAND TOWN SQUARE PLANNED DEVELOPMENT (PD) DISTRICT LOCATED AT THE SOUTHEAST INTERSECTION OF US HWY 59 AND STATE HWY 6, WITH REGARD TO THE REGULATIONS FOR SITE A ON THE FINAL DEVELOPMENT PLAN AND TO REVISE DEVELOPMENT PLAN EXHIBITS.

THE SUGAR LAND TOWN SQUARE PLANNED DEVELOPMENT (PD) DISTRICT SITE A (RESERVES A1 & A2) IS CONTAINED WITHIN THE 31.8 ACRE SUGAR LAND TOWN SQUARE SECOND AMENDING PLAT, RECORDED AS SLIDES 2464B, 2465A, AND 2465B, OF THE FORT BEND COUNTY PLAT RECORDS, LOCATED IN THE ELIJAH ALCORN LEAGUE, A-1, AND THE S.M. WILLIAMS LEAGUE, A-97, FORT BEND COUNTY, TEXAS.

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed zoning amendment request shall be given an opportunity to be heard.

**WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS**

**WHEN: CITY OF SUGAR LAND
PLANNING AND ZONING COMMISSION
7:00 P.M., DECEMBER 11, 2007**

DETAILS OF THE PROPOSED ZONING AMENDMENT MAY BE OBTAINED BY CONTACTING THE CITY OF SUGAR LAND PLANNING OFFICE AT (281) 275-2218 OR BY EMAIL AT PLANNING@SUGARLANDTX.GOV. THE PLANNING OFFICE IS OPEN MONDAY THROUGH FRIDAY FROM 8:00 O'CLOCK A.M. TO 5:00 O'CLOCK P.M., AND IS LOCATED AT CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS. PLEASE CONTACT US IF YOU WISH TO SET UP AN APPOINTMENT TO GO OVER ADDITIONAL DETAILS IN PERSON.

**ADOPTED ORDINANCE NO. 1624
(REFERENCE)**

